ZONING DESCRIPTION

TOWSON PRESBYTERIAN CHURCH

known as #400 Chesapeake Avenue.

EIGHTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

IN RE: PETITION FOR ZONING VARIANCE NW/Corner Chesapeake and Highland Avenues (400 Chesapeake Avenue) 9th Election District

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY 4th Councilmanic District * Case No. 91-63-A

Towson Presbyterian Church Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

The Petitioner herein requests a variance to permit one bulletin board sign on Church property with an area of 39.2 sq.ft. in lieu of the maximum permitted 30 sq.ft., in accordance with Petitioner's Exhibit 1.

The Petitioner, by Reverend George Gray Toole, appeared, testified and was represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition were Gordon M. Betz and Charles R. Gray.

Testimony indicated that the subject property, known as 400 Chesapeake Avenue, consists of 1.24 acres zoned D.R. 5.5, and is the site of the Towson Presbyterian Church. Petitioner is desirous of installing a billboard sign mounted on a stone base on the southwest corner of the property in accordance with that depicted on Petitioner's Exhibits 1, 3 and 4. Testimony indicated the proposed sign will replace an existing wood sign set on poles, as shown in Petitioner's Exhibit 2, and will be internally lit. Reverend Toole testified the existing sign has become worn with age and the paint is pealing. He further testified the proposed sign will be more in keeping with the character of the surrounding neighborhood. Testimony indicated the relief requested will not result in any detriment to the public health, safety or general welfare.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner

July 19, 1990

Beginning for the same at a point situated on the northernmost side of

Chesapeake Avenue and the westernmost side of Central Avenue; thence running

with and binding on the northernmost side of Chesapeake Avenue North 77° 02'

West 300.68 feet to a point on the easternmost side of Highland Avenue; thence

running with and binding on the easternmost side of Highland Avenue North 12°

running South 77 02' East 300.39 feet to a point on the westernmost side of

Central Avenue; thence running with and binding on the westernmost side of

Containing 54,096 square feet or 1.24 acres of land, more or less. Also being

Central Avenue South 12 0 46 West 180.00 feet to the point of beginning.

51' East 180.00 feet to a point; thence leaving said Highland Avenue and

tion 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

the relief requested sufficiently complies with the requirements of Sec-

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of October, 1990 that the Petition for Zoning Variance to permit one bulletin board sign on Church property with an area of 39.2 sq.ft. in lieu of the maximum permitted 30 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> 2) The variance granted herein is limited to a sign of the size and design set forth in Petitioner's Exhibits 3 and 4.

> > Zoning Commissioner

JRH:bjs

for Baltimore County - 2**-**

receip Zoning Commissioner Account: R-001-6150 County Office Building H9100024 PUBLIC MEARING FEES 20 -INTERNS VARIANCE (CHER) TOTAL: \$175.00 LIBERTON OF THE LONGER TOWSON PRES CHURC 04A04#0114MICHRC \$175.00 BA CO11:22AMO7-19-90 Please make checks payable to: Baltimore County

UNTY
Posting September 19, 1990
Pand arenus
land wrenues

400 Chesas Location of Signs: North Side of Chesapeake arenue in front of Posted by Signature Date of return: September 21, 1996

District 9 th:

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 337-3353 J. Robert Haines

Zoning Commissioner

October 22, 1990

Newton A. Williams, Esquire 210 W. Pennsylvania Avenue, Suite 700 Towson, Maryland 21204

Dennis F. Rasmussen

RE: PETITION FOR ZONING VARIANCE NW/Corner of Chesapeake and Highland Avenues (400 Chesapeake Avenue) 9th Election District - 4th Councilmanic District Towson Presbyterian Church - Petitioner Case No. 91-63-A

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Very truly yours, Robert Haires ROBERT HAINES Zoning Commissioner for Baltimore County

cc: People's Counsel

JRH:bjs

File

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a

public hearing on the properti identified herein in Room 106 o the County Office Building, lo-cated at 111 W. Chesepeake Av-enue in Towson, Maryland 21204

Petition for Zoning Variance
Case number: 91-63-A
NW/Cor. Chesapeake and
Highland Avenues
400 Chesapeake Avenue
9th Election District
4th Councilmanic
Petitioner(s): Towson
Prebyterian Church
Hearing Date: Friday,
Oct. 12, 1990 at 2:00 p.m.

Variance: to allow one Bulletin Vertance: to allow one coneum
Board sign on Church properly
with an area of 39.2 sq. ft. in lieu
of the required 30 sq. ft.
In the event that this Petition is

appeal period. The Zoning Con missioner will, however, enterta

any request for a stay of the issugnce of said permit during th period for good cause shown Such request must be in writing and received in this office by the date of the hearing set above o

J. ROBERT HAINES Zoning Commissioner of Baltimore County

NOTICE OF HEARING

The Zonling Commissioner of Baltimore County, by authority of the Zonling Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Marylan J 21204 as follows:

Petition for Zoning Variance

Highland Avenues
400 Chesapeake Avenue
9th Election District
4th Councilmanic
Petitioner(s): Town

Variance: to allow one Bulletin Board sign on Church property with an area of 39.2 sq. ft. in lieu

of the required 30 sq. ft. In the event that this Petition is

granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the is suance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the

date of the hearing set above or

J. ROBERT HAINES

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ___ weeks, the first publication appearing on 9-19, 19

CERTIFICATE OF PUBLICATION

THE JEFFERSONIAN.

5. Zehe Orlan

CERTIFICATE OF PUBLICATION

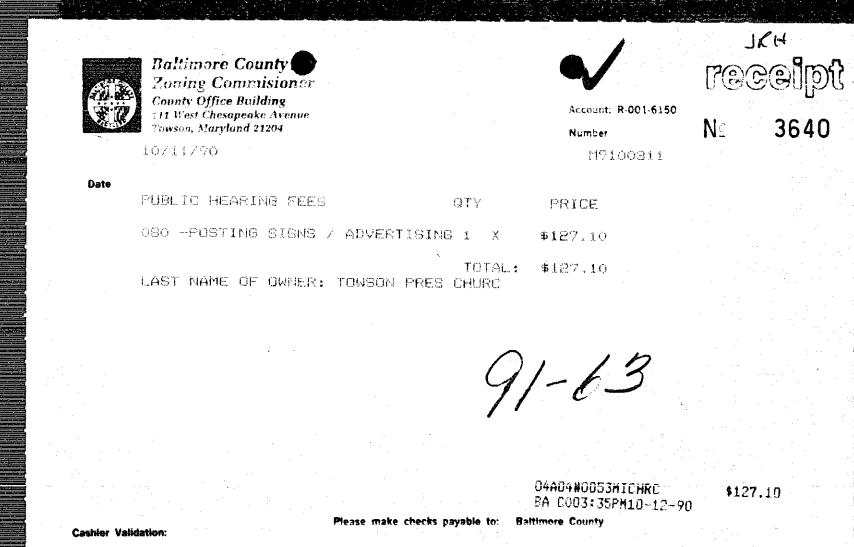
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of weeks, the first publication appearing on 9-12, 1990.

TOWSON TIMES,

5. Rete Orlan

\$ 102.41

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-63-A The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1.b to allow one Bulletin Board sign on Church property with an area of 39.2 square feet in lieu of required 30 square feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. The proposed sign is to be constructed with a base of stone to blend with and be compatible with the existing Church buildings. It will replace existing sign. 2. The proposed sign will be more attractive than an ordinary post sign not having a brick base, and will blend with stone and masonry decor of the Church. 3. That without the requested variance the petitioner will sustain practical difficulty and unreasonable hardship, and the requested variance is in strict harmony with the spirit and intent of the Regulations and will actually foster, the health, safety and welfare of the area. MAP NE IOA Property is to be posted and advertised as prescribed by Zoning Regulations. __E3_ I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County, 1/We do solemnly declare and affirme under the penalties of perjury, that I we are the legal owner(s) of the property; which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Towson Presbyterian Church (Type or Print Name) (Type or Print Name)-Milland J. Lend President Signature Board of Trustees WILLIAM E KINEHART (Type or Print Name) City and State Signature Altorney for Petitioner: Newton A. Williams, Esquire E. Bruce Jones, Esquire 400 Chesapeake Avenue 823-6500 (Type or Frint Name) clan, Plumhoff & Williams, Chtd. Phone No. Towson, Maryland 21204 Signature Suite 700 Court Towers City and State 210 West Pennsylvania Avenue Name, address and phone number of legal owner, contract purchaser or representative to be contacted Newton A. Williams Towson, Maryland 21204 E. Bruce Jones City and State Name Suite 700, Court Towers Attorney's Telephone No.: 823-7800 210 West Pennsylvania Avenue 823-7800 Towson, Maryland 21204 ORDERED By The Zoning Commissioner of Baltimore County, this , 19.20, that the subject matter of this petition be advertised, required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the ______ day of ______ day of ______ 19____, at ______. ESTIMATED LEROTH OF RESERVE -1/288. 12 +128. 7 AVAILABLE FOR HISBING MON. /TURES. AMEDA. - HEXT TWO MONTES REVIEWED BY: CAM DATE 19 Joly 90



Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines Zoning Commissioner

400 Chesapeake Avenue

Towson Presbyterian Church

Towson, Maryland 21204 Re: Petition for Zoning Variance CASE NUMBER: 91-63-A NW/Cor. Chesapeake and Highland Avenues 400 Chesapeake Avenue



Dennis F. Rasmussen

9th Election District - 4th Councilmanic Petitioner(s): Towson Presbyterian Church HEARING: FRIDAY, OCTOBER 12, 1990 at 2:00 p.m.

Please be advised that $\frac{127.70}{}$ is due for advertising and posting of the above captioned property.

DATE 10/10/90

THIS FEE MUST BE PAID AND THE ZONING SIGN & PUST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113. Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

BALTIMORE COUNTY, MARYLAND

The Petitioner requests a Variance to allow a bulletin board

sign on church property with an area of 30.2 sq. ft. in lieu of the

In reference to this request, staff offers the following:

Provided that the proposed sign will be non-illuminated, staff recommends the subject request be granted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the

DATE: August 23, 1990

INTER-OFFICE CORRESPONDENCE

cc: Newton A. Williams/ E. Bruce Jones

J. Robert Haines

required 30 sq. ft.

PK/JL/cmm

ITEM24/ZAC1

Office of Planning at 887-3211.

Zoning Commissioner

Pat Keller, Deputy Director

Office of Planning and Zoning

SUBJECT: Towson Presbyterian Church, Item No. 24

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

August 15, 1990



NOTICE OF HEARING

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building

Petition for Zoning Variance CASE NUMBER: 91-63-A NW/Cor. Chesapeake and Highland Avenues 400 Chesapeake Avenue 9th Election District - 4th Councilmanic Petitioner(s): Towson Presbyterian Church HEARING: FRIDAY, OCTOBER 12, 1990 at 2:00 p.m.

located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Variance to allow one Bullentin Board sign on Church property with an area of 39.2 sq. ft. in lieu of the required 30 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

cc: Towson Presbyterian Church Newton A. Williams/E. Bruce Jones

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

August 10, 1990

California e de la companya de la c

Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 11, 13, 15, 16, 17, 18, 20, 22, 23, 24, 25, 28, and 29.

> Michael S. Flanigan Traffic Engineer Associate II

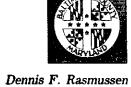
MSF/lvw

ZONING OTTICE

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

October 3, 1990

Newton A. Williams, Esquire Nolan, Plumhoff & William, Chtd Suite 700 Court Towers 210 W. Pennsylvania Avenue



RE: Item No. 24, Case No. 91-63-A Petitioner: Towson Presbyterian Church Petition for Zoning Variance

Dear Mr. Williams:

Towson, MD 21204

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

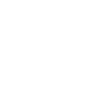
Zoning Plans Advisory Committee

JED:jw Enclosures

cc: Mr. William E. Rinehart Towson Presbyterian Church 400 Chesapeake Avenue

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500 Paul H. Reincke

July 30, 1990



Dennis F. Rasmussen

TOWSON PRESBYTERIAN CHURCH

RE: Property Owner:

#400 CHESAPEAKE AVENUE Location: Item No.: 24

Zoning Agenda: AUGUST 7, 1990

Gentlemen:

J. Robert Haines

Zoning Commissioner

Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Planning Group Special Inspection Division

JK/KEK

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines



Your petition has been received and accepted for filing this 8th day of August, 1990.

J. Robert Haines
Zoning commissioner

Zoning Plans Advisory Committee

Petitioner: Towon Presbyterian Church, et al Petitioner's Attorney: Newton A. Williams

BALTIMORE COUNTY, MARYLAND

AUG 0 8 1990

INTER-OFFICE CORRESPONDENCE

J. ROBERT HAINES, ZONING COMMISSONER, DEPARTMENT ZONING

CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES ZONING TEM #: 24

SUBJECT: PROPERTY OWNER: LOCATION:

> **ELECTION DISTRICT:** COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION NUMBER PARKING SPACES () BUILDING ACCESS

() RAMPS (degree slope) () CURB CUTS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0

COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 9, 1990

Zoning Advisory Committee Meeting for August 7, 1990

FROM: Robert W. Bowling, F.E.

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 11, 15, 16, 17, 18, 20, 23, 24, 25, and 28.

For Item 13, water and sewer are available to the site. The Developer is responsible for extension of the paved road to the proposed lot with an 18-foot open paving section, ending with a 40-foot x 50-foot turnaround area and any drainage structures required.

For Item 22, water and sewer are available to the site. No public improvements are required.

For Item 29, the 5-foot utility easement along the west lot line of Lot III is a County easement, and as such, no permanent structures are allowed within the easement area.

ROBERT W. BOWLING, F.E. enief Developers Engineering Division

RWB:€



111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 (301) 887-3180 October 15, 1991

Phyllis Cole Friedman, Esquire People's Counsel for Baltimore County 111 W. Chesapeake Avenue Room 304, County Office Building Towson, Maryland 21204

Re: Case No. CR-90-409-SPHA (Claridge Towers Company)

Dear Ms. Friedman:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal and cross-appeal have been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Linda Lee M. Kusymaul Legal Secretary

Enclosure

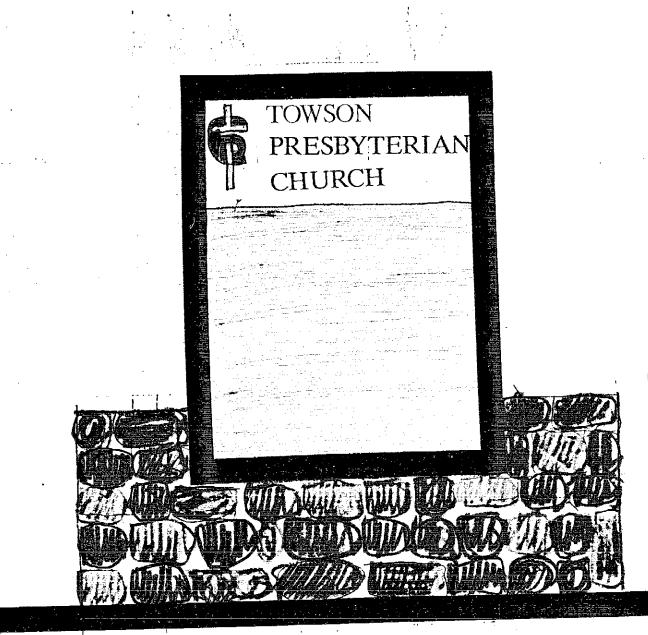
cc: Richard C. Burch, Esquire Mr. Thomas E. Crow, Jr. Ms. Nancy W. Horst

Ms. Sarah F. Lord Mr. James Earl Kraft

Ms. Nancy Matthews P. David Fields Pat Keller

Lawrence E. Schmidt Timothy M. Kotroco James E. Dyer W. Carl Richards, Jr.

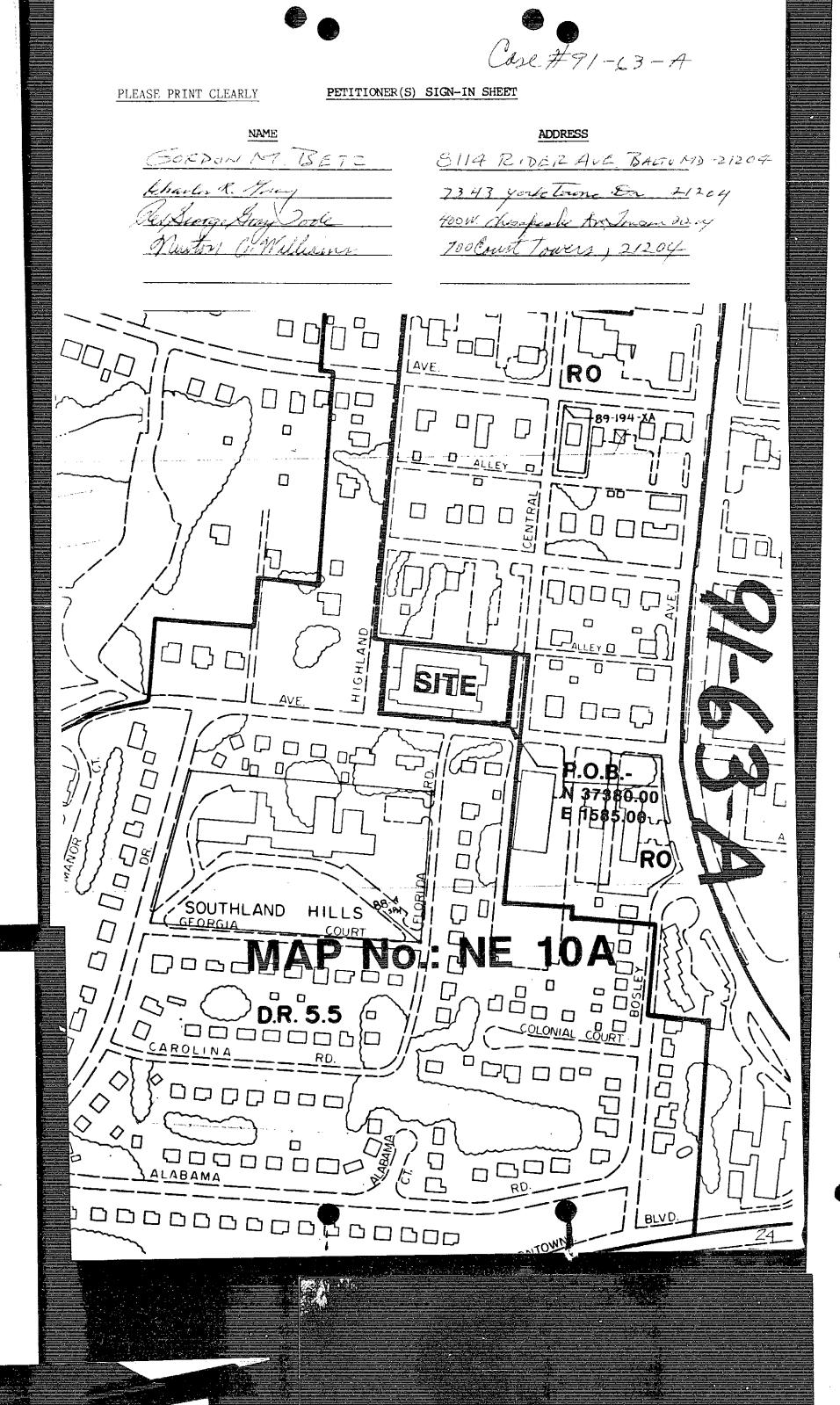
Docket Clerk -Zoning Arnold Jablon, Director of Zoning Administration



PETTIONER'S EXHIBIT 3

91-63A

TOWSON
PRESBYTERIAN



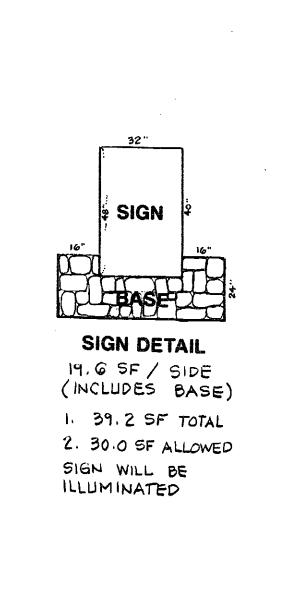
TOWSON PRESBYTERIAN

CHURCH

E CHURCH SCHOOL

DR. GEORGE GRAY TOOLE
DR. HAROLD J CAHILL
REV. M.L. ELLENBERGER

HIGHLAND AVE. OR 5.5 É RD Ro N 12°51'E 180.00 - PROPOSED SIGN (SEE DETAIL) NAMES - OE - AMES RO MACADAM PARKING P.O.B. ---S 12°46'W EXISTING ZONING: CENTRAL AVE.



DR - 5.5 AREA OF SITE: 54,096 5Ft = 1.24 Act

PETTIONER'S
EXHIBIT 1

to permit one bulletin board of 39.2 square feet in lieu of the allowable 30 square feet.

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE



Requested Variance

JAMES W. MCKEE (MD REG. NO. 9012)

Requesting a variance to Section 413.1.b

TOWSON PRESBYTERIAN CHURCH

8TH ELECTION DISTRICT

BALTO. CO., MD SCALE: 1" = 50' JULY 18, 1990

(# 400 CHESAPEAKE AVENUE)

McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
SHAWAN PLACE 5 SHAWAN ROAD
HUNT VALLEY, MD 21030

